HABC No.7 of 2002
Hon'ble A.A.Desai, C.J.
Hon'ble M.M.Ghildiyal,J.

Heard Sri Gopal K. Verma, lerned counsel for the petitioner and Sri Alok Singh, who appeared for the girl.

The father in the name of his daughter filed the instant petition for habeas corpus directing her to be relieved from the unlawful custody of respondent no.5. As per interim order, the girl was produced. For the time being we put her in 'Nari Niketan'. She appeared in person.

According to the father the girl is 18 years of age. However, she claims herself to be 19 years of age and voluntarily and willingly she is living with the respondent no.5. She has further stated that there was no coercion or intimidation.

Learned counsel for this Court Miss Seema Sirohi and Miss Geeta Parihar also interrogated her. The girl confirmed the statement. in view of this, she is not in wrongful custody. Therefore, habeas corpus now does not subsist. We ,therefore, dismiss the petition and direct that the girl be relieved from Nari Niketan.

(M.M.Ghildiyal,J.) (A.A.Desai,J.)

20.12.2002
A